

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 694 - SB 1234

March 27, 2011

SUMMARY OF BILL: Eliminates pretrial diversion and alters the definition of “qualified defendant” for probation purposes to include a defendant who is not seeking deferral of further proceedings for driving under the influence, has not previously been convicted of a felony or Class A misdemeanor for which a sentence of confinement is service, and has not been previously granted judicial diversion.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- According to the District Attorneys General Conference, any additional costs associated with eliminating pretrial diversion can be accommodated within existing resources without an increased appropriation or a reduced reversion.
- A prosecutor will rarely grant pretrial diversion to a defendant who has a prior felony conviction or judicial diversion to a defendant who has previously been granted judicial or pretrial diversion. Persons falling under these two categories will be ineligible for any type of diversion under the proposed law. It is estimated that the fiscal impact for state and local government will not be significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "James W. White".

James W. White, Executive Director

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